



THE CITY OF NEW YORK  
**LAW DEPARTMENT**

100 CHURCH STREET  
NEW YORK, NY 10007

**ZACHARY W. CARTER**  
*Corporation Counsel*

**KAVIN THADANI**  
*Senior Counsel*  
phone: (212) 356-2351  
fax: (212) 356-3509  
email: kthadani@law.nyc.gov

January 23, 2018

**BY ECF**

Honorable Cheryl L. Pollak  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Martinez v. City of New York, et al., No. 1:16-cv-00079-AMD-CLP

Your Honor:

I am a Senior Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing defendants City of New York, Jason Forgione and Jason Weitzman in the above-referenced matter. Defendants write with respect to plaintiff's January 23, 2018 letter requesting to amend the complaint.

Although plaintiff did provide defendants with a copy of the proposed amended complaint and requested defendants' position before filing her letter, she did so via e-mail only 34 minutes prior to filing her letter.

Defendants have reviewed plaintiff's proposed Second Amended Complaint and do not oppose plaintiff's motion to amend. However, defendants reserve the right to assert appropriate defenses.

Thank you for your consideration.

Respectfully,

/s/ **Kavin Thadani**

Kavin Thadani  
Senior Counsel  
Special Federal Litigation Division

cc: **BY ECF**  
Gabriel Harvis, Esq.  
Baree Fett, Esq.  
*Attorneys for Plaintiff*